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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARVIN JOHNSON,

No. C-06-4217 MMC

Plaintiff,

ORDER OF DISMISSAL

v.

CITY AND COUNTY OF SAN FRANCISCO,
et al.,

Defendants

/

The parties having advised the Court that they have agreed to a settlement of the above-titled action,

IT IS HEREBY ORDERED that plaintiff's claims be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within forty-five days, with proof of service of a copy thereon on opposing counsel, that the agreed consideration for the settlement has not been delivered, the foregoing order shall stand vacated and the action shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: September 18, 2007


MAXINE M. CHESNEY
United States District Judge